



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT

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NEW YORK, NY 10007

W. Simone Nicholson
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Request granted.
Settlement conference
June 27, 2023 adjourned sine die. The
Court applauds the parties'
efforts toward reaching
resolution. The parties shall
file a status report or
stipulation of dismissal by
July 24, 2023.

VIA ECF

The Honorable Robert W. Lehrburger, U.S.M.J.
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *N.O. et al., v. N.Y.C. Dep't of Educ., et al.*, 20-cv-4807 (JGLC)

SO ORDERED:

6/28/2023

HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dear Judge Lehrburger:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, the Hon. Sylvia O. Hinds-Radix, attorney for Defendants in the above-referenced action, wherein Plaintiffs allege violations pursuant to the Individuals with Disabilities in Education Act ("IDEA"), 20 U.S.C. §1400, *et seq.*, Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794, *et seq.*, as well as attorney's fees and costs for administrative decisions issued under the IDEA.

I write jointly with Plaintiffs to request that the pre-settlement conference scheduled for June 28, 2023 (ECF 103) be adjourned *sine die* because the parties have made significant progress towards resolving the case and are now optimistic that they will be able to reach an agreement without the Court's assistance.¹ Since our letter to the Court last month requesting the conference call with Your Honor, the parties were able to significantly narrow the settlement gap and we believe we'll be able to reach an agreement shortly. The parties appreciate the Court's attention and time to this matter. The parties anticipate being able to submit a stipulation of settlement to the Court within 30 days, no later than July 24, 2023.

Thank you for considering this request.

Respectfully submitted,

s/
W. Simone Nicholson
Special Assistant Corporation Counsel

cc: Erin O'Connor, Of Counsel, Law Office of Elisa Hyman *Counsel for Plaintiffs* (via ECF)

¹ The parties apologize for the lateness of this request. As Your Honor may be aware, Plaintiffs' counsel was out of the office for the past two weeks on bereavement leave due to her sister's death.